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Remarks

Reconsideration of the application is respectfully requested. Claims 4-6 and 17-19 have been indicated as being allowable, which indication is gratefully acknowledged. Claims 1, 8, and 13 have been rejected under 35 U.S.C. §102 as being anticipated by Oehlbeck et al., USPN 6,778,290, and Claims 2, 3, 7, 9-12, 14-16, and 20-22 have been rejected under 35 U.S.C. §103 as being unpatentable over Oehlbeck et al.

To overcome the rejection, Claim 1 has been amended to specify, as shown in cross-reference to Figures 1 and 2, that the segments establish a linear sequence of segments such that the light beam impinges on only one segment at a time. Claims 1-22 remain pending.

Rejections Under 35 U.S.C. §102

Claims 1, 8, and 13 have been rejected under 35 U.S.C. §102 as being anticipated by Oehlbeck et al. The present apparatus claims are directed to color projectors, whereas Oehlbeck et al. is directed to an entirely different device - an image printing system, indeed characterized by Oehlbeck et al. itself as "significantly different" from projection systems, col. 2, lines 46-49; see also col. 2, line 60 to col. 3, line 7. It evidently is the examiner's position that the image planes of the medium 22 of Oehlbeck et al., which apparently are color emulsion layers, see col. 10, lines 1-4, and which are collectively exposed to various colors of light until a color image has been rendered, are the claimed color segments. To address this position, Claim 1 now recites that the segments establish a linear sequence of segments such that the light beam impinges on only one segment at a time. This simply cannot be said of the image planes of Oehlbeck et al., which are overlaid with each other, with light impinging on all three simultaneously.

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Turning to Claim 13, it has been rejected "for the same reasons as Claim 1", thus evidently equating the medium 22 of Oehlbeck et al. with the claimed means for altering the color of light entering the means for generating. It is not apparently the case, however, that the medium 22 of Oehlbeck et al. alters the colors of any light beams that enter its means for generating a demanded image. Certainly Oehlbeck et al. does not appear to mention it. Instead, to the extent that the LED beams that expose the emulsion layers are considered to be from the means for generating the demanded image, the emulsion layers of Oehlbeck et al. appear to change color, but do not change the color of the light from the LEDs. Rather the opposite of what is claimed. Subsequently, whatever light passes through the emulsion layers does not come from the means for generating a demanded image. For these reasons, it is respectfully asserted that the claims rejected under this section are patentable.

Rejections Under 35 U.S.C. §103

Claims 2, 3, 7, 9-12, 14-16, and 20-22 have been rejected under 35 U.S.C. §103 as being unpatentable over Oehlbeck et al. Starting with Claim 2, it has been alleged that while Oehlbeck et al. admittedly does not explicitly mention a digital light projector, nonetheless because Oehlbeck et al. "is a digital device", Claim 2 is unpatentable. However, Claim 2 does not recite a simple "digital device", but rather a specific type of device that is of a genre (projectors) that are explicitly distinguished by Oehlbeck et al. from its own invention, as discussed above. The rejection of Claim 2 is overcome.

Appropo Claim 3, it appears to be the examiner's position that because col. 2, lines 26-38 of Oehlbeck et al. mentions a DMD, it would have been obvious to use one in Oehlbeck et al. The error here is two-fold. First, Oehlbeck et al. indeed mentions a DMD, but teaches away from using it at col. 3, lines

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8-13. Second, the proffered motivation to modify Oehlbeck et al. to use a DMD - to make a smaller projector - plainly is hindsight because Oehlbeck et al. is not directed to projectors and as mentioned above explicitly distinguishes them as being significantly different from its digital printing invention. The rejection of Claim 3 is overcome.

Claim 9 recites markers engaged with the tape, with each marker being associated with a respective color and with the markers being sensed by a sensor. This has been rejected by the bare identification of col. 9, lines 36-55 without explication. Applicant has diligently studied the relied-upon section and it appears to teach nothing about markers, much less the particular ones claimed. Instead, it appears to be directed to illumination control under commands from a processor in response to a single photosensor 44.

Independent method Claim 10 appears to be patentable for reasons above, namely, that the medium 22 of Oehlbeck et al. does not appear to change the color of light related to a demanded image, but rather its own color in response to the LED light, and that a DMD is taught away from by Oehlbeck et al. for use in the Oehlbeck et al. system.

The Examiner is cordially invited to telephone the undersigned at (619) 338-8075 for any reason which would advance the instant application to allowance.

Respectfully submitted,


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